Before the

FEDERAL COMMUNICATIONS COMMISSION

Washington, DC 20554

In the Matter of	)	
	)	
Further Inquiry Into Four Issues In The Universal Service	)	WC Docket No. 11-42, 03-109
Lifeline / Link Up Reform and Modernization Proceeding	)	CC Docket No. 96-45
Video Accessibility act of 2010	)	

Communication Service For The Deaf, Inc.

Comments

August 25, 2011

I. Background

Communication Service for the Deaf, inc. ("CSD") is a private, non-profit organization that provides programs and services intended to increase communication, independence, productivity, and self-sufficiency for all individuals who are deaf and hard of hearing through education, counseling, training, and communication assistance. CSD provides text-based telecommunications relay services, including Internet-enabled relay services, in over thirty states as a subcontractor or directly through its own TRS operations-calls centers. CSD was also the first relay provider to make video relay services (VRS) available to deaf individuals who use American Sign Language (ASL) as their primary means of communication. In addition, CSD provides video remote interpreting (VRI), a form of interpreting that uses remote interpreters, accessed via highspeed broadband connections, to facilitate a conversation between two or more individuals in the same location.

CSD has an extensive background in working with and advocating for people who are deaf, hard-of-hearing, late deafened, deaf-blind, or who have a speech disability hereinafter for purposes of brevity, the "target population". Additionally, CSD has participated or administrated numerous equipment distribution programs at both the state and federal level including the current "Project Endeavor" under the National Telecommunications and Information Administration's Broadband Technology Opportunities Program (BTOP).

II. Diverse Modes Of Communication used By Target Population.

As with any large group of individuals, the needs of the target population cannot be successfully met with a single uniform method or product. Accordingly, CSD has long advocated for the individual user's freedom to choose the method and mode of communication that works for them, and has provided multiple forms of communication assistance including traditional TRS, VRS, IP Relay, and VRI as described above.

The Emergency Access Advisory Committee ("EAAC") established by the Federal Communications Commission ("FCC" or "Commission") in accordance with the Twenty-First Century Communications and Video Accessibility Act of 2010, presented its *Report on Emergency Calling for Persons With Disabilities*

Survey Review and Analysis 2011 ("EACC Report") on July 21, 2011. The EACC Report provides significant insight into the different modes of communication utilized by the persons with disabilities.

The EAAC Report shows that approximately 37% of respondents used a regular landline telephone almost everyday, while approximately 63% of respondents used a wireless device such as a cell phone or smart phone almost everyday. [1] Further the EAAC report shows that almost 75% of the respondents used a wireless device at least fairly regularly.[2]

With regard to TTY devices the EAAC Report shows that approximately 9% of respondent utilized a traditional TTY device (with a landline) at least fairly regularly, and approximately 5% used a computer based TTY (with an internet connection) at least fairly regularly.[3]

The EAAC Report further shows that of the respondents approximately 84% use Email, 48% use Instant Messaging, 58% utilize SMS (Short Message Service), and 56% use Social Networking site to communicate at least fairly regularly.[4]

When questioned about what Telecommunications Relay Services they used the EAAC Report shows that of the respondents approximately 26% used IP Relay Services, 43% used Video Relay Services (VRS), 3% used Speech-to-Speech Relay; 11% used Traditional TRS, and 11% used Captioned Telephone Relay services.[5]

These results from the EAAC Report support two conclusions. First, that persons with disabilities use a wide array of modes of communication including traditional TTY with landlines, to fixed Broadband services, to Wireless Broadband Services. Second, the adoption rate of new technologies by the disability community is high (i.e. 58% usage of SMS compared to 9% usage of traditional TTY).

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1 EAAC Report Survey Question #6 page 13

2 Ibid

3 EAAC Report Question #8 Page 15

4 EACC Report Question #9, page 16

5 EACC Report Question #10, Page 17

III. Designing and Implementing Lifeline and Link Up Broadband and Pilot Programs

As the results from the EAAC Report demonstrate deaf people no longer rely upon communication devices that are traditionally tethered to telephone landlines, most notably TDDs/TTYs. Instead, they have come to rely upon broadband and wireless services that allow them to use the videophone, Internet chat, e-mail, and data/text messaging in order to communicate. Thus, the inclusion of broadband services in the Lifeline and Link Up programs ensure its relevance to the communication needs of eligible consumers from the deaf and hard of hearing communities.

We believe that the success of such program will not be limited by user's being unwilling to adopt the related technologies as the results discussed above clearly demonstrate that these related technologies are already in heavy use. However, we believe that four issues must be addressed for any Lifeline and Link Up Broadband program to be successful. These are: (A) Equipment and Service Tiers, (B) data capacity, (C) data rate and (D) direct effective communication about the program.

(A) Equipment and Service Tiers: For many members of the target population, a broadband version of a Lifeline program, with on-going monthly services, will be appropriate. However, through our experience in the BTOP Project Endeavor, we have found that with some of our lowest income applicants that their living arrangements or their ongoing income is so fluid that tying their broadband access to an on-going service plan isn't feasible. In these situations providing them a subsidized Wi Fi enabled device through a broadband Link Up program may be the service option most sustainable. The device could be coupled with a month to month wireless service plan. Some months they could afford wireless service other months they may need to rely exclusively upon Wi Fi. This is becoming a more prevalent service model with low income populations and cell phone service. Accordingly, an equipment only pilot project in urban area with significant Wi Fi hotspot or community broadband coverage should be considered.

(B) Data Capacity: While some forms of communications, such as SMS are very efficient in data usage, they are also very limited in the amount of information which can be conveyed, the speed of conversation, and the audience for the communication. Other methods, such as VRS and Point-to-Point Video allow for a much richer communication experience, allow the users to utilize their primary language (often American Sign Language ("ASL")) and can be utilized with a broad audience. However, while these forms are rich in content and time efficient, they do

consume a fairly high amount of data. Therefore, limitations on the amount of data that can be used (commonly referred to as "Caps") should be eliminated to allow the users full access to this mode of communication.

(C) Data Rate: Some wireless broadband plans meter the data being utilized by a consumer and the more data used, the slower the rate available to that consumer (commonly referred to as "metering". While this type of metering may be useful in policing usage for downloading movies and similar tasks, slowing down the available data rate can render video communications such as VRS and Point-to-point Video useless. Without a fairly high degree of fluidity, the video image become unusable for reading ASL.

The removal of data caps and metering for these pilot Lifeline and Link Up programs would help ensure that the target population's access to communication via broadband is not unnecessarily limited to the point of making the desired modes of communication ineffective.

(D) Direct Effective Communication Regarding the Lifeline and Link Up Programs

For the FCC to ensure that deaf and hard of hearing consumers can access information about and apply for Lifeline and Link Up benefits, the FCC should encourage that states consider the communication needs of the deaf and hard of hearing populations by providing contact center services that are specifically tailored to meet their needs.

To process consumer eligibility or provide information for the Lifeline and Link Up programs, states will either operate a contact center in-house or contract out contact center services to third party providers. In either situation, accessibility measures are not provided for deaf and hard of hearing individuals beyond merely accepting calls made through the Telecommunications Relay Service (TRS), Video Relay Service (VRS), or TTY. At one point, these measures may have been sufficient to meet the needs of deaf people; however, disability mandates, such as the Americans with Disabilities Act, fully intended that accessibility standards be changed to parallel the increased options provided by advancements made in technology. It should be noted that some technology advancements have actually made it more difficult for deaf people to access services.

For instance, the FCC receives many complaints from users of TRS and VRS when accessing voice menu systems on the telephone. These voice menus are often inaccessible due to the inherent

delay during relay calls that time the caller out of the system if the caller takes too long to respond appropriately.

Further, training provided to customer service agents on how to handle relay or TTY calls are often inadequate; once a relay call is announced, agents will hang up or immediately transfer the call to a TTY-only line. General customer service agents may not be in a position to provide helpful information to deaf consumers due to their lack of familiarity with the resources and special programs that are available for deaf people.

There is also the consideration of typical service level metrics that contact centers in general must strive to meet that, as a result of meeting those metrics, do deaf consumers a great disservice. Customer service agents are rewarded for processing a call in the shortest amount of time; however, as noted earlier, calls made through the relay or TTY take more time to handle. Thus customer service agents are motivated to keep the call short and at the end of the call, deaf consumers still have more questions that they were not able to address.

While the relay system has been of great benefit, the reality is that caller assistants are not all knowing and may not be able to interpret the concepts and features of the Lifeline and Link Up programs accurately due to their unfamiliarity with the subject matter.

In light of these factors that serve as barriers to the accessibility of Lifeline and Link Up programs, the FCC should recommend that states establish contact center services that are specifically designed to meet deaf consumers' needs. This may include the hiring and training of customer service agents who are able to sign fluently, thus allowing a deaf consumer to bypass the relay system and allow them to speak directly to the customer service agent through the videophone. It would eliminate many of the cultural, technological, and linguistic barriers that are currently present and deaf consumers would be able to benefit from Lifeline and Link Up programs as intended.

IV Limiting Availability of Lifeline Support to One Discount per Residential Address.

While CSD firmly recognizes the necessity of preventing fraud, waste and abuse of programs such as Lifeline and Link Up, we believe the "one discount per residential address" limitation is detrimental to achieving the goals of the program. Many deaf and hard-of-hearing individuals live in a multiple dwelling such as a nursing home homeless shelter or adult home. Additionally more live in "supportive

housing" units which may have multiple households living independently, but with shared facilities such as kitchens and bathrooms. Further many may live in lodging houses or rooming houses, which may be classified as "commercial" buildings. This type of situation has also been outlined by the Council of The City of New York in their November 24, 2009 letter to Chairman Julius Genachowski.

Additionally, it can be much more cost effective to provide a single wireless device to an individual which can be used both at home or away (for school, work, in transit, etc). It is for these reasons that CSD supports a "One per Adult or Disabled Individual" limitation rather than one per residential address.

V. Conclusion

CSD believes that both fixed and wireless implementations of Broadband Lifeline and Link Up programs are essential to providing effective universal access to the target population. Further, with options for both providing Wi Fi enabled equipment capable of operating either with on-going service or through public Wi Fi hotspots or municipal Wi Fi, even the lowest income members of the target population will have the opportunities brought about by communications access. In order for such programs to be successful, data caps and metering must be eliminated or at a sufficiently high level to allow for effective video communication. Finally, for pilot programs to be successful, it is critical that dedicated outreach efforts, conducted with a combination of dedicated text agents and direct ASL video, are necessary to reach the target population.

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